



Municipal Services Agency

Department of Water Resources

Keith DeVore, Director

Steven C. Szalay,  
Interim County Executive

Paul J. Hahn, Administrator

## County of Sacramento

August 13 2010

Joe Grindstaff, Interim Executive Officer  
Delta Stewardship Council  
650 Capitol Avenue 5<sup>th</sup> Floor  
Sacramento, CA 95814

### **Re: Delta Stewardship Council: Governance and Implementation Comments**

Dear Mr. Grindstaff and Honorable Council Members:

Pursuant to the direction received at the August 3, 2010 Delta Stewardship Council's (DSC) Governance/Implementation Workgroup meeting, this letter includes responses to the three questions listed below. It is our understanding that all written comments received by 8:00 a.m. on August 16th will be included as part of the written materials for the Council's August 26-27 meeting.

- 1. What can the Council do to assist other agencies (state, local and federal) to implement SBX 7 1? Are there early actions the Council should consider to promote implementation?*

It is critical that DSC staff begin the process of establishing working partnerships with local government staff (e.g., Planning, Public Works, Environmental). In addition, the preparation and distribution of technical assistance materials will be extremely beneficial in interpreting and implementing the new statutory provisions resulting from the chaptering of SB7X 1. Lastly, Sacramento County recommends other early actions include a commitment by DSC staff to conduct periodic (e.g., biannual) Delta-related education and outreach workshops to: (1) identify near- and long-term implementation strategies, (2) identify available fiscal resources, (3) vet issues and concerns, and (4) identify implementation successes and shortfalls.

- 2. What implementation issues are likely to arise, and how can these be addressed as agencies respond to SBX 7 1 and the Council undertakes its responsibilities? Examples of implementation issues already raised include, but are not limited to, the following:*

*"Managing Tomorrow's Water Today"*

- a. Suisun Marsh, where there is a geographic overlap with BCDC: This issue is not applicable to Sacramento County.
  - b. County Land Use Plans: Ensure that local land use authority, including compliance/consistency with general plan policies and implementation actions, is protected in perpetuity and the new consistency certification and appeal processes do not become de facto development constraints, subject only to State oversight.
  - c. Habitat Conservation Plans: Ensure that any proposed habitat restoration implementation actions contained in the Interim Delta Plan and/or the forthcoming Delta Plan do not conflict with the conservation policies and actions found in the soon to be approved South Sacramento Habitat Conservation Plan (SSHCP).
  - d. Levees, in light of the FloodSafe program administered by DWR and the CVFPP process and timeline: Establish an early and ongoing dialog between local Counties, state DWR, and FEMA to develop a framework of appropriate rural levee standards, improved protection of Delta communities, specific floodplain development policies for legacy communities and modifications to the National Flood Insurance Program. Such a framework would recognize and allow for the need for legacy communities to thrive while ensuring that only new construction/re-construction could occur in these areas on a scale appropriate for rural communities.
  - e. As a responsible agency for the BDCP EIR (one possible implementation issue may be the future availability of lands for mitigation in the Delta): While Sacramento County is not a “responsible agency,” it continues to monitor the process and ultimately wants to play a substantive role in implementation to avoid conflicts with the County’s habitat conservation/restoration efforts.
3. *What steps should the Council take to best identify relevant plans and to address their relationship(s) to the responsibilities of the Council?*

See the response to question No. 1. Again, developing working and collaborative partnerships with as many Delta-related stakeholders as possible, particularly local government staff, will provide DSC staff with a wide breadth of current and historical data and written resources.

In closing, Sacramento County greatly appreciates the DSC’s efforts to reach out and solicit comments on key implementation points. As you know, the forthcoming policy plans (i.e., the Interim Plan and the Delta Plan) will have long-term ramifications on the management of the Delta’s unique resources. As stated numerous times, the County is committed to being a

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collaborative partner in all future land use and water policy development and looks forward to continued engagement with DSC leadership and staff. Should you have any questions regarding our comments, please contact Don Thomas, Senior Planner, at (916) 874-5140.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keith DeVore".

Keith DeVore  
Director of Water Resources

KD/dt:sa

cc: Pete Kutras  
Leslie McFadden